

ASSIGNED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Serial No. 2758

Date of first receipt and filing in State Engineer's office JUL 25 1913
Returned to applicant for correction _____
Corrected application filed _____

The undersigned John A. Smiley, Frank E. Smiley and Wilbur
H. Smiley, Name of applicant.
Deeth, County of Elko,

State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada,
as hereinafter stated. (If applicant is a corporation give date and
place of incorporation.) _____

1. The source of the proposed appropriation is _____
Name of stream, lake, or other source.
Herder Creek, Elko County, Nevada,

2. The amount of water applied for is eight second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for irrigation and domestic purposes.
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following
point: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11, Township 36 North, Range 60
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.
East, M.D.B & M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 640 acres

(b) Description of land to be irrigated All of Section 33, Town-
Describe by legal subdivision, or if on unsurveyed land it
ship 37 North, Range 60 East, M.D.B & M.
should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Irrigation will begin about May and end about
August, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

(d) Power to be developed is _____ horse power.

(e) Works to be located _____
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream _____
Describe in same manner as point of diversion.

(g) Remarks _____

DESCRIPTION OF PROPOSED WORKS

The water is to be diverted from its source by means of a dam and
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
conveyed to the above described land by means of a ditch.

is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works Eight Hundred Dollars.
6. Estimated time required to construct works Two months.
7. Remarks _____

For use of applicant.

H. SMILEY
JOHN A. SMILEY, FRANK E. SMILEY, WILBUR, Applicant.

By Cantwell & Carville,
Attorneys for applicants.

Compared [Signature]

This sheet inspected _____
_____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing appli-
cation, and do hereby grant the same, subject to the following lim-
itations and conditions:

This permit is granted for flood and surplus water only and is
subject to all prior rights on the stream system. The State reserves
the right to regulate the use of the water herein granted.

The amount of water to be appropriated shall be limited to the
amount which can be applied to beneficial use, and not to exceed
Six & 4/10 cubic feet per second. (6.4)

Actual construction work shall begin on or before June 12th, 1915.

Proof of commencement of work shall be filed before July 12th, 1915.

Work must be prosecuted with reasonable diligence and be completed
on or before August 12th, 1915.

Application of water to beneficial use shall be made on or before
November 12, 1921.

Proof of the application of water to beneficial use must be filed
with the State Engineer on or before December 12, 1921.

WITNESS MY HAND AND SEAL this 12th day of December, 1914.

Proof of labor filed MAY 12 1915

Proof of completion of work filed MAY 12 1915

Proof of beneficial use filed Jan. 19 1925

Map filed JUN 21 1915

Cultural Map Filed Jan. 19 1925

Certificate No. 1115 Issued March 22 1925 for 0.9809 cfs

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